

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA.
FILED
AUG 11 2006
JOHN F. CONCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

ROY M. TERRY, JR.,
and
DURRETTE BRADSHAW PLC,
RECEIVER FOR: TERRY L. DOWDELL *ET AL.*,

Plaintiffs,

v.

CHRISTOPHER W. DOWDELL,

Defendant.

CIVIL ACTION No. 3:04-CV-00067

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the Receiver's motion for partial summary judgment. For the reasons set forth in the accompanying Memorandum Opinion, the motion is GRANTED, and it is hereby

ADJUDGED AND ORDERED

that (1) Ohio's Uniform Fraudulent Transfer Act governs the Receiver's fraudulent conveyance claim; (2) Terry Dowdell ("Dowdell") operated the Vavasseur Program as a Ponzi scheme; (3) Dowdell's transfer of \$20,000 to the Defendant on October 26, 2001 was made with actual intent to defraud his creditors; and (4) the transfer hereby is declared void, and the Defendant is liable to the Receiver to return the \$20,000 less any repayment that he can prove at trial.

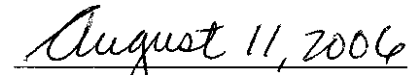
The parties are directed to contact United States Magistrate Judge B. Waugh Crigler to attempt to resolve the remaining issues in this case, and, if necessary, to contact Scheduling Clerk Heidi Wheeler at (434) 296-9284 to set a date for trial.

It is so ORDERED.

The Clerk of the Court is directed to send certified copies of this Order to all Counsel of Record.

ENTERED:


U.S. District Judge


Date